

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HOWARD J. HALL,

Plaintiff

v.

OPENTV, INC., JAMES ACKERMAN
And PETER BOYLAND, III,

Defendants

C.A. No. 04-10413-PBS

PLAINTIFF'S MOTION TO AMEND THE COMPLAINT

Plaintiff moves the court to amend his complaint to add:

1. Paragraph 6 to identify and add Defendant Mark Meagher as a party defendant;
2. Paragraph 10 *in re* jurisdiction over Defendant Mark Meagher.
3. Paragraphs 41 through 61 to the general allegations of fact;
4. Paragraph 63 to Count I of the complaint alleging that the parties contract was extended by performance for one year;
5. Count VI for quantum meruit, Paragraphs 87-93;
6. Count VII, for deceit, Paragraphs 94-110.
7. To modify plaintiff's prayers to include a prayer for attorney's fees, and
8. To change the caption.¹


¹ Plaintiff has not corrected any of the typographical errors in the complaint filed by prior counsel in order that defendants will not have to do a word-by-word review of the amended complaint.

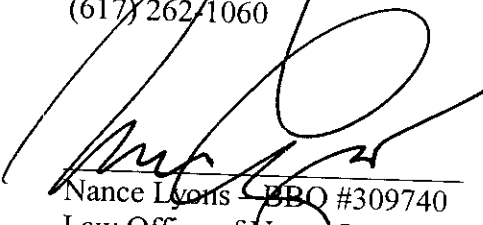
All as more fully set out in the attached Proposed Amended Complaint.

As grounds therefor, plaintiff avers that facts elicited through discovery support the proposed amended complaint.

PLAINTIFF

By his Attorneys,


Frederic N. Halström – BBO #218420
HALSTRÖM LAW OFFICES, P.C.
P.O. Box 121203
Boston, MA 02112
(617) 262-1060


Nance Lyons – BBO #309740
Law Office of Nance Lyons
132 Boylston Street
Boston, MA 02116
617-262-1060

October 7, 2004

I hereby certify that a true copy of the
above document was served upon ~~each party~~
~~appearing pro se and~~ the attorney of record for
each (other) party by mail (by hand) on 10/7/04
